

United States District Court
for the
Northern District of New York
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: James Mack

Case Number: 5:09CR000688-001

Name of Sentencing Judicial Officer: Honorable, David N. Hurd, U.S. District Judge

Date of Original Sentence: December 12, 2011

Original Offense: Possession With Intent to Distribute Cocaine Base, 21 U.S.C. §841 (a)(1)

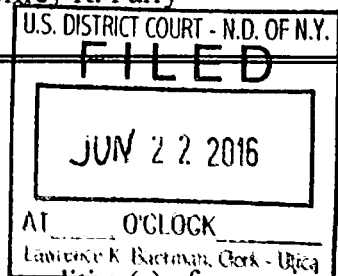
Original Sentence: 77 months incarceration, 6 years supervised release

Type of Supervision: Supervised Release Date Supervision Commenced: 12/19/14

Asst. U.S. Attorney: Carla B. Freedman Defense Attorney: Jeffrey R. Parry

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons



The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

- 1 **New Criminal Conduct: The defendant shall not commit another federal, state or local crime.** On June 14, 2016, the defendant was arrested by the Onondaga County Sheriffs Department for two counts of Criminal Possession of a Controlled Substance 3rd, a Class B Felony and Criminal Possession of a Controlled Substance 7th, a Class A Misdemeanor. The defendant was released on bail on June 16, 2016.
This information is based on written reports from the Onondaga County Sheriffs Department (Grade A and C violation)

- 2 **Standard Condition #2: The defendant shall report to the probation officer in a manner and frequency directed by the court or probation officer.** On June 16, 2016, the Onondaga County Justice Center staff provided instructions from the probation office for the defendant to report immediately upon his release from custody. The defendant failed to report as directed. The defendant has failed to make any contact with the probation office. Attempts to reach the defendant have been unsuccessful. At this time, the defendant's whereabouts are unknown.
This information is based on the records and knowledge of the probation office. (Grade C violation)

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- 3 **Standard Condition #11: The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.**

On June 14, 2016, the defendant was arrested by the Onondaga County Sheriffs Department. The defendant was released from custody on June 16, 2016. The defendant has failed to notify the probation office of his arrest since that date. This information is based on the records and the knowledge of the probation office. (Grade C violation)

- 4 **Special Condition #1: The defendant shall participate in a program for substance abuse which shall include testing for drug and alcohol use, and may include inpatient and/or outpatient treatment. The program shall be approved by the United States Probation Office.**

On March 6, 2015 and September 9, 2015, the defendant failed to report substance abuse testing.

This information is based on the records from the U.S. Probation Office (Grade C Violation)

U.S. Probation Officer Recommendation:

The term of supervision should be:

☒ Revoked

☐ Extended for year(s), for a total term of years.


☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

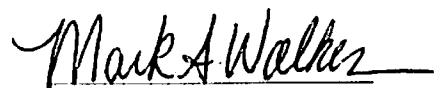
Executed on: June 21, 2016

Approved by:

by:



Michael J. Kester
Supervising U.S. Probation Officer



MARK A. WALKER
Senior U.S. Probation Officer

THE COURT ORDERS

☐ No Action

☐ The Issuance of a Summons

☐ Other

☒ The Issuance of a Warrant. This petition and all documents attached hereto are **SEALED** until such time as the warrant generated by this petition is returned executed.

The District Court Clerk's Office is hereby **ORDERED NOT** to serve a copy of this petition or any of the attached documents upon anyone **EXCEPT** that a copy is to be served upon law enforcement personnel. Copies shall be served upon the unsealing of the petition.

David M. Hud

Signature of Judicial Officer

June 22, 2016

Date

Utica, N.Y.